

Serial No. 10/724,852

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-------------|----------------------------|-----------------|--------------------|
| Applicant: | Piers et al. | Examiner: | David A. Izquierdo |
| Serial No.: | 10/724,852 | Group Art Unit: | 3738 |
| Filed: | Dec. 1, 2003 | Docket No.: | 24793-25 |
| Title: | Multifocal Ophthalmic Lens | | |

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on

Jennifer Armstrong

Jennifer Armstrong
Name

Jennifer Armstrong

Signature

**Terminal Disclaimer to Obviate a Double Patenting Rejection
Over a Prior Patent
Under 37 C.F.R. §1.321**

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Owner, Advanced Medical Optics, Inc., of 100% percent of the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154-156, §173, as presently shortened by any terminal disclaimer of prior Patent Number 6,830,332. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154-156, §173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

- ☒ 1. For submissions on behalf of an organization (e.g. corporation, partnership, university, government, agency, etc.), the undersigned is empowered to act on behalf of the organization.

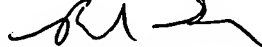
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

- ☐ 2. The undersigned is an attorney of record.

Also enclosed is a check in the amount of \$130.00 for the terminal disclaimer fee under 37 C.F.R. §1.20(d).

Respectfully submitted,
Altera Law Group, LLC
Customer No. 22865

Date: 10/20/2006

By: 
Ronald E. Gerber
Reg. No. 57,166